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**UNITED STATES DISTRICT COURT**

## **DISTRICT OF NEVADA**

U.S. EQUAL EMPLOYMENT OPPORTUNITY ) Case No.  
COMMISSION, )

Petitioner, ) PETITIONER EEOC'S APPLICATION

) SUBPOENA SHOULD NOT BE  
 ) ENFORCED

v. ) SUBPOENA SHOULD NOT BE  
          ) ENFORCED

LLC dba HYDE ) Date: \_\_\_\_\_, 2018

BELLAGIO, SPOONFUL MANAGEMENT LV,) Time: \_\_\_\_\_ a.m. / p.m.  
LLC, ) Judge: \_\_\_\_\_

Respondents. ) Courtroom: \_\_\_\_\_

action for enforcement of subpoenas *duces tecum*, pursuant to Section

action for enforcement of suspended taxes section, pursuant to Section 1101.

1. This is action for enforcement of subpoenas *duces tecum*, pursuant to Section 707 of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et. seq. (“Title VII”).

1           2. Jurisdiction is conferred upon the court by Section 706(f)(3), 42 U.S.C. § 2000e-  
2 5(f)(3), and by Section 11 of the National Labor Relations Act, 29 U.S.C. §161, as amended,  
3 incorporated in Title VII.

4           3. Petitioner United States Equal Employment Opportunity Commission  
5 (“Petitioner”) is a federal agency charged with the administration, interpretation and enforcement  
6 of Title VII, including, *inter alia*, the investigation of charges of unlawful employment practices,  
7 and is authorized to bring this action pursuant Title VII.

8           4. Respondent SBEEG Holdings, LLC dba Hyde Bellagio is a corporation that owns  
9 and operates the Hyde Bellagio nightclub in the State of Nevada. Respondent Spoonful  
10 Management LV, LLC is a corporation in the State of Nevada that employs the individuals that  
work in the Hyde Bellagio nightclub.

11           5. Respondents are employers within the meaning of Title VII.

12           6. On July 31, 2017, pursuant to its authority under 29 U.S.C. §161, incorporated in  
13 Title VII, Petitioner issued Subpoena No. LV-17-03. The Subpoena requires Respondents to  
14 produce information needed as part of Petitioner’s investigation of a charge of systemic sexual  
15 harassment and retaliation, as alleged in Charge No. 487-2017-00358. Respondents received the  
16 Subpoena on or about September 18, 2017.

17           7. Respondents have failed to comply with the Subpoena. The EEOC is authorized  
18 to seek court aid to compel Respondents’ compliance with the Subpoena. 29 U.S.C. § 161(2),  
incorporated into Title VII by § 42 U.S.C. § 2000e-9.

19           8. The accompanying EEOC’s Memorandum of Points and Authorities in Support of  
20 Application for Order to Show Cause; Declaration of Counsel and Exhibits, filed concurrently  
21 herewith, provide factual support for this Application. The EEOC’s Memorandum of Points and  
22 Authorities, Declaration of Counsel, and supporting exhibits are incorporated by reference into  
this Application.

23           WHEREFORE, the EEOC prays:

- 24           (a) That the Court issue an Order directing Respondents to appear before this Court  
25 and to show cause, if any, why an Order should not be issued directing  
26 Respondents to comply with the subpoena;  
27           (b) That, upon return of the Order to Show Cause, an Order issue directing  
28 Respondents to comply with the subpoena; and

(c) That the EEOC be granted its costs and such further relief as may be necessary and appropriate.

Dated: July 5<sup>th</sup>, 2018

U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION

By: /s/ Nechole Garcia  
NECHOLE GARCIA  
Attorney for Plaintiff EEOC